

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 2:11-CR-434-LDG-(PAL)
)
DELYANA NEDYALKOVA,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on November 25, 2013, defendant DELYANA NEDYALKOVA pled guilty to Count Two of a Four-Count Superseding Criminal Indictment charging her with Conspiracy to commit Wire Fraud in violation of Title 18, United States Code, Sections 1343 and 1349. Superseding Indictment, ECF No. 243; Plea Agreement, ECF No. 461; Change of Plea Minutes, ECF 481.

This Court finds defendant DELYANA NEDYALKOVA agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Indictment. Superseding Indictment, ECF No. 243; Plea Agreement, ECF No. 461; Change of Plea Minutes, ECF 481.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Indictment and the offense to which defendant DELYANA NEDYALKOVA pled guilty.

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 981(a)(1)(C) and Title 28, United States Code, Section 2461(c) and Title 21, United States Code,
3 Section 853(p):

- 4 1. \$350.00 (received from Vladimir Budestean);
- 5 2. \$200.00 (received from Vladimir Budestean);
- 6 3. \$3.04 (recovered from 2002 Mercedes CLK 55, Budestean);
- 7 4. \$2,155.00 seized during search of 4225 Dover Place, Las Vegas, NV residence of
8 Budestean and Nedyalkova);
- 9 5. Currency on Eugeni Stoytchev at time of arrest: \$2,512.00 United States Currency;
10 1-\$0.50 euro coin (valued at \$0.65 U.S.); 1-\$10 Bulgarian Leva (valued at \$6.68
11 U.S.); 1-\$2 Bulgarian Leva (valued at \$1.34 U.S.); 4-\$1 Bulgarian Leva (valued at
12 \$3.67 U.S.); 1-\$0.50 Bulgarian Stotinki (valued at \$0.33 U.S.); 3-\$0.20 Bulgarian
13 Stotinki (valued at \$.40 U.S.); 10-10 denomination Bulgarian Stotinki (valued at
14 \$0.67 U.S.);
- 15 6. 4225 Dover Place, Las Vegas, Nevada (residential home, Clark County Parcel No.
16 139-31-411-109); Owners: Vladimir Budestean and Mariya Ytmkerova-
17 Nedyalkova;
- 18 7. Samsung Television (Serial Number LN46B55OK1F w/stand, power cord, remote
19 and cables) (consent search of Oleh Rymarchuk's residence);
- 20 8. Laptop Macbook Air (serial #C02GMBLPDJWV) (consent search of Oleh
21 Rymarchuk's residence);
- 22 9. Laptop Macbook Pro (serial #C02GD1VPDV7L) (consent search of Oleh
23 Rymarohuk's residence);
- 24 10. Powershot A603 w/case (Serial #4136204571) (consent search of Oleh
25 Rymarchuk's residence);

26 . . .

1 11. Apple Time Capsule (1TB) w/cord (Serial #6F94201GACD) (consent search of
2 Oleh Rymarchuk's residence);

3 12. Red Cobra Model #CA-380 .380 caliber pistol (Serial #CP042369 (seized from
4 Bertly Ellazar's residence); and

5 13. An in personam criminal forfeiture money judgment of \$84,000.00 in United States
6 Currency

7 (all of which constitutes "property").

8 This Court finds the United States of America is now entitled to, and should, reduce the
9 aforementioned property to the possession of the United States of America.

10 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
11 United States of America should seize the aforementioned property.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
13 DELYANA NEDYALKOVA in the aforementioned property is forfeited and is vested in the United
14 States of America and shall be safely held by the United States of America until further order of the
15 Court.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
17 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
18 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
19 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
20 name and contact information for the government attorney to be served with the petition, pursuant to
21 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
23 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
24 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
25 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
26 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's

1 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
2 petition and the relief sought.

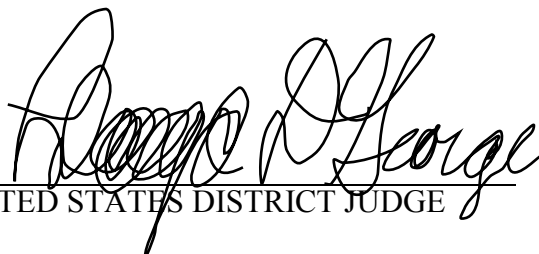
3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
4 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
6 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
7 following address at the time of filing:

8 Michael A. Humphreys
9 Assistant United States Attorney
10 Daniel D. Hollingsworth
11 Assistant United States Attorney
12 Lloyd D. George United States Courthouse
13 333 Las Vegas Boulevard South, Suite 5000
14 Las Vegas, Nevada 89101.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
16 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
17 following publication of notice of seizure and intent to administratively forfeit the above-described
18 property.

19 DATED this 13 day of Jan, 2014.

20 
21 UNITED STATES DISTRICT JUDGE
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